

1 school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an  
2 institution where he or she is receiving a waiver of nonresident tuition under s. 39.47  
3 is limited to the following:

4 **\*-1262/2.9\* SECTION 1250.** 45.50 (1) (a) of the statutes is renumbered 45.50 (1)  
5 and amended to read:

6 45.50 (1) VETERANS HOME AT KING. The department shall operate the Wisconsin  
7 Veterans Home at King and employ a commandant for the home. ~~The department~~  
8 ~~shall employ a commandant for the Wisconsin Veterans Home at Union Grove and~~  
9 ~~may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls.~~  
10 ~~The department may employ any personnel that are necessary for the proper~~  
11 ~~management and operation of veterans homes. In compliance with the~~  
12 ~~compensation plan established pursuant to s. 230.12 (3), a commandant may~~  
13 ~~recommend to the director of personnel charges for meals, living quarters, laundry,~~  
14 ~~and other services furnished to employees and members of the employees' family~~  
15 ~~maintained at veterans homes. The department shall provide complete personal~~  
16 ~~maintenance and medical care, including programs and facilities that promote~~  
17 ~~comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.~~

18 **\*-1262/2.10\* SECTION 1251.** 45.50 (1) (b) of the statutes is renumbered 45.50  
19 (2m) (e) and amended to read:

20 45.50 (2m) (e) All moneys received as reimbursement for services to veterans  
21 homes employees or as payment for meals served to guests at veterans homes shall  
22 be accumulated in an account named "employee maintenance credits" and shall be  
23 paid into the general fund within one week after receipt and credited to the  
24 appropriation account under s. 20.485 (1) (gk). This paragraph does not apply to any  
25 agreement entered into pursuant to par. (c).

1           **\*-1262/2.11\* SECTION 1252.** 45.50 (1) (c) of the statutes is renumbered 45.50  
2 (2m) (d) and amended to read:

3           45.50 (2m) (d) Veterans homes with a skilled nursing facility shall include a  
4 geriatric evaluation, research, and education program. The program staff shall be  
5 funded from the appropriations under s. 20.485 (1) (hm), (j), and (mj).

6           **\*-1262/2.12\* SECTION 1253.** 45.50 (2) (a) of the statutes is renumbered 45.50  
7 (2b) and amended to read:

8           45.50 (2b) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
9 department may construct or renovate and operate residential, treatment, and  
10 nursing care facilities, including a community-based residential facility, to be known  
11 as the Wisconsin Veterans Home at Union Grove. The department shall employ a  
12 commandant for the Wisconsin Veterans Home at Union Grove.

13           **\*-1262/2.13\* SECTION 1254.** 45.50 (2) (b) of the statutes is renumbered 45.50  
14 (2d) and amended to read:

15           45.50 (2d) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the  
16 department may develop, construct or renovate, and operate residential, treatment,  
17 and nursing care facilities and programs for veterans in northwestern Wisconsin, on  
18 the property of the Northern Wisconsin Center for the Developmentally Disabled in  
19 Chippewa Falls to be known as the Wisconsin Veterans Home at Chippewa Falls.  
20 The programs and facilities may include an assisted living facility, a skilled nursing  
21 facility, a medical clinic, an adult day health care center, an activities center, and a  
22 veterans assistance program. The department may employ a commandant for the  
23 Wisconsin Veterans Home at Chippewa Falls.

24           **\*-1262/2.14\* SECTION 1255.** 45.50 (2b) (title) of the statutes is created to read:

25           45.50 (2b) (title) VETERANS HOME AT UNION GROVE.

1           **\*-1262/2.15\* SECTION 1256.** 45.50 (2d) (title) of the statutes is created to read:

2           45.50 (2d) (title) VETERANS HOME AT CHIPPEWA FALLS.

3           **\*-1262/2.16\* SECTION 1257.** 45.50 (2m) (title) of the statutes is created to read:

4           45.50 (2m) (title) SERVICES; STAFFING OF HOMES.

5           **\*-1262/2.17\* SECTION 1258.** 45.50 (2m) (a) of the statutes is created to read:

6           45.50 (2m) (a) The department shall provide complete personal maintenance  
7 and medical care, including programs and facilities that promote comfort,  
8 recreation, well-being, or rehabilitation, to all members of veterans homes.

9           **\*-1262/2.18\* SECTION 1259.** 45.50 (2m) (b) of the statutes is created to read:

10          45.50 (2m) (b) The department may employ any personnel that are necessary  
11 for the proper management and operation of veterans homes. In compliance with the  
12 compensation plan established pursuant to s. 230.12 (3), a commandant may  
13 recommend to the director of personnel charges for meals, living quarters, laundry,  
14 and other services furnished to employees and members of the employees' family  
15 maintained at veterans homes.

16          **\*-1262/2.19\* SECTION 1260.** 45.50 (2m) (c) of the statutes is created to read:

17          45.50 (2m) (c) For the Wisconsin Veterans Home at Chippewa Falls, in lieu of  
18 the department employing personnel as authorized under par. (b) and providing the  
19 maintenance and medical care as specified in par. (a), the department may enter into  
20 an agreement with a private entity to operate the home and perform such  
21 management and care using personnel employed by the private entity.

22          **\*-1262/2.20\* SECTION 1261.** 45.50 (3) (title) of the statutes is created to read:

23          45.50 (3) (title) LAND ACQUISITION.

24          **\*-1262/2.21\* SECTION 1262.** 45.50 (4) (title) of the statutes is created to read:

25          45.50 (4) (title) GIFTS AND GRANTS.

1           **\*-1262/2.22\* SECTION 1263.** 45.50 (4) of the statutes is renumbered 45.50 (4)

2           (a).

3           **\*-1262/2.23\* SECTION 1264.** 45.50 (5) of the statutes is renumbered 45.50 (4)

4           (b).

5           **\*-1262/2.24\* SECTION 1265.** 45.50 (6) (title) of the statutes is created to read:

6           45.50 (6) (title) WATER AND SEWER SERVICES.

7           **\*-1262/2.25\* SECTION 1266.** 45.50 (6) (b) of the statutes is amended to read:

8           45.50 (6) (b) Agreements under this ~~section~~ subsection shall be drafted to hold  
9 harmless the department, to require all expense to be paid by the applicant, and to  
10 be terminable by the department when other water and sewer services become  
11 available to the applicant.

12           **\*-1262/2.26\* SECTION 1267.** 45.50 (7) (title) of the statutes is created to read:

13           45.50 (7) (title) ENFORCEMENT AUTHORITY.

14           **\*-1262/2.27\* SECTION 1268.** 45.50 (8) (title) of the statutes is created to read:

15           45.50 (8) (title) FIRE FIGHTING SERVICES.

16           **\*-1262/2.28\* SECTION 1269.** 45.50 (9) of the statutes is renumbered 45.50 (2m)

17           (f) and amended to read:

18           45.50 (2m) (f) The department may develop a program to provide stipends to  
19 individuals to attend school and receive the necessary credentials to become  
20 employed at veterans homes. If the department develops a stipend program under  
21 this ~~subsection~~ paragraph, the department shall promulgate rules related to the  
22 program, including the application process, eligibility criteria, stipend amount,  
23 repayment provisions, and other provisions that the department determines are  
24 necessary to administer the program.

25           **\*-1262/2.29\* SECTION 1270.** 45.50 (10) of the statutes is amended to read:

1           45.50 (10) HOSPITALS AUTHORIZED. The department may establish a hospital at  
2     ~~the a veterans homes~~ home. All hospitals established under this subsection may not  
3     have a total approved bed capacity, as defined in s. 150.01 (4m), greater than 16 beds.  
4     The approved bed capacity of a skilled nursing facility operated at a veterans home  
5     is reduced by one bed for each approved bed at the hospital established under this  
6     subsection at that home.

7           **\*-1187/P5.370\* SECTION 1271.** 45.60 (3) (b) of the statutes is amended to read:

8           45.60 (3) (b) A funeral director may issue a tuition voucher in the amount of  
9     \$25 to an individual who sounds "Taps" on a bugle, trumpet, or cornet during each  
10    funeral for which military honors are held in this state for a person described in sub.  
11    (1) and who is a student in grades 6 to 12 or at an institution of higher education, as  
12    defined under s. 895.515 (1) (b). The tuition voucher may be used at any time for the  
13    payment of tuition and required program activity fees at a University of Wisconsin  
14    System institution as provided under s. 36.27 (3r), the University of  
15    Wisconsin-Madison under s. 37.27 (3r), or a technical college as provided under s.  
16    38.24 (6). The department shall encourage private institutions of higher education  
17    to accept the vouchers. The vouchers are not transferable.

18          **\*-0724/1.2\* SECTION 1272.** 46.03 (18) (ar) of the statutes is amended to read:

19          46.03 (18) (ar) ~~A~~ Subject to s. 46.995, a county may retain fees that it collects  
20    under this subsection for services the county provides without state funding under  
21    the disabled children's long-term support program.

22          **\*-1187/P5.371\* SECTION 1273.** 46.042 of the statutes is amended to read:

23          **46.042 Treatment program for emotionally disturbed children.** The  
24    department shall establish a program for the intensive treatment of emotionally  
25    disturbed children. The program shall be operated by the Mendota Mental Health

1 Institute and be subject to all federal and state laws, rules, and regulations that  
2 apply to the institute. Operational planning shall provide close interrelationship  
3 between the department and the University of Wisconsin Medical School of Medicine  
4 and Public Health for conduct of educational and research programs.

5 **\*-0216/P1.1\* SECTION 1274.** 46.057 (2) of the statutes is amended to read:

6 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
7 department of corrections shall transfer to the appropriation account under s. 20.435  
8 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.  
9 20.410 (3) (hm), the department of corrections shall transfer to the appropriation  
10 account under s. 20.435 (2) (kx) ~~\$2,872,300~~ \$2,890,700 in fiscal year ~~2009-10~~  
11 2011-12 and ~~\$2,896,100~~ \$2,964,000 in fiscal year ~~2010-11~~ 2012-13, for services for  
12 juveniles placed at the Mendota juvenile treatment center. The department of health  
13 services may charge the department of corrections not more than the actual cost of  
14 providing those services.

15 **\*-1019/5.18\* SECTION 1275.** 46.206 (1) (bm) of the statutes is amended to read:

16 46.206 (1) (bm) All records of the department relating to aid provided under  
17 s. 49.77, 2009 stats., or s. 49.46, 49.465, 49.468, 49.47, or 49.471, or 49.77 are open  
18 to inspection at reasonable hours by members of the legislature who require the  
19 information contained in the records in pursuit of a specific state legislative purpose.  
20 All records of any county relating to aid provided under s. 49.77, 2009 stats., or s.  
21 49.46, 49.465, 49.468, 49.47, or 49.471, or 49.77 are open to inspection at reasonable  
22 hours by members of the board of supervisors of the county or the governing body of  
23 a city, village or town located in the county who require the information contained  
24 in the records in pursuit of a specific county or municipal legislative purpose. The  
25 right to records access provided by this paragraph does not apply if access is

1 prohibited by federal law or regulation or if this state is required to prohibit such  
2 access as a condition precedent to participation in a federal program in which this  
3 state participates.

4 **\*-1187/P5.372\* SECTION 1276.** 46.21 (2) (b) of the statutes is amended to read:

5 46.21 (2) (b) May make such arrangements with the University of  
6 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health or the  
7 Medical College of Wisconsin, or any other duly accredited medical colleges and  
8 medical societies for teaching and research in such institutions as in its judgment  
9 will best promote the purpose of hospitals and sanatoriums under sub. (4m).

10 **\*-1324/P1.1\* SECTION 1277.** 46.21 (2m) (am) of the statutes is created to read:

11 46.21 (2m) (am) *Multicounty department.* A county board of supervisors may  
12 establish with one or more other counties a county department of human services on  
13 a multicounty basis. A multicounty department of human services established  
14 under this paragraph shall meet the requirements for a county department of human  
15 services under this section.

16 **\*-1019/5.19\* SECTION 1278.** 46.215 (1) (intro.) of the statutes is amended to  
17 read:

18 46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population  
19 of 500,000 or more the administration of welfare services, other than child welfare  
20 services under s. 48.48 (17) administered by the department and except as provided  
21 in ss. 49.155 (3g), 49.78 (1m), 49.825, and 49.826, is vested in a county department  
22 of social services under the jurisdiction of the county board of supervisors under s.  
23 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services  
24 under this section applies to a county department under s. 46.21 (2m) in its  
25 administration under s. 46.21 (2m) of the powers and duties of the county

## SECTION 1278

1 department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m),  
2 49.825, and 49.826, the county department of social services shall have the following  
3 functions, duties, and powers, and such other welfare functions as may be delegated  
4 to it:

5 **\*-1019/5.20\* SECTION 1279.** 46.215 (1) (intro.) of the statutes, as affected by  
6 2011 Wisconsin Act .... (this act), is amended to read:

7 46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population  
8 of 500,000 or more the administration of welfare services, other than child welfare  
9 services under s. 48.48 (17) administered by the department and except as provided  
10 in ss. 49.155 (3g), 49.78 (1m), ~~49.825~~, and 49.826, is vested in a county department  
11 of social services under the jurisdiction of the county board of supervisors under s.  
12 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services  
13 under this section applies to a county department under s. 46.21 (2m) in its  
14 administration under s. 46.21 (2m) of the powers and duties of the county  
15 department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m),  
16 ~~49.825~~, and 49.826, the county department of social services shall have the following  
17 functions, duties, and powers, and such other welfare functions as may be delegated  
18 to it:

19 **\*-1195/2.12\* SECTION 1280.** 46.215 (1) (k) of the statutes is amended to read:

20 46.215 (1) (k) Certify eligibility for and issue ~~food coupons~~ benefits to needy  
21 households in conformity with the federal ~~food stamp act of 1964~~ supplemental  
22 nutrition assistance program under 7 USC 2011 to 2036, as amended, and, in  
23 addition, the county department of social services may certify eligibility for and  
24 distribute surplus commodities and food stuffs.

25 **\*-1019/5.21\* SECTION 1281.** 46.215 (1) (L) of the statutes is amended to read:



1           46.215 (1) (L) Within the limits of available state and federal funds and of  
2 county funds appropriated to match state funds, to provide social services for persons  
3 eligible for or receiving benefits under the supplementary security income program  
4 under federal Title XVI, the supplemental payments program under s. ~~49.77~~ 49.39  
5 or aid to families with dependent children under s. 49.19.

6           **\*-1324/P1.2\* SECTION 1282.** 46.215 (1) (t) of the statutes is created to read:

7           46.215 (1) (t) At the discretion of the county board of supervisors, to combine  
8 with one or more other counties to establish a county department of social services  
9 on a multicounty basis. A multicounty department of social services established  
10 under this paragraph shall meet the requirements for a county department of human  
11 services under this section.

12           **\*-0203/P3.2\* SECTION 1283.** 46.215 (2) (c) 3. of the statutes is amended to read:

13           46.215 (2) (c) 3. A county department of social services shall develop, under the  
14 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related  
15 care and services to be purchased. The department of corrections may review the  
16 contracts and approve them if they are consistent with s. 301.08 (2) and if state or  
17 federal funds are available for such purposes. The joint committee on finance may  
18 require the department of corrections to submit the contracts to the committee for  
19 review and approval. The department of corrections may not make any payments  
20 to a county for programs included in a contract under review by the committee. The  
21 department of corrections shall reimburse each county for the contracts from the  
22 appropriations under s. 20.410 (3) (cd), ~~(ko), and (e)~~ and (ko) as appropriate.

23           **\*-1324/P1.3\* SECTION 1284.** 46.22 (1) (a) of the statutes is amended to read:

24           46.22 (1) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county  
25 board of supervisors of any county with a population of less than 500,000, or the

1 county boards of 2 or more contiguous counties ~~each with a population of less than~~  
2 500,000, shall establish a county department of social services on a single-county or  
3 multicounty basis. The county department of social services shall consist of a county  
4 social services board, a county social services director and necessary personnel.

5 **\*-1019/5.22\* SECTION 1285.** 46.22 (1) (b) 1. (intro.) of the statutes is amended  
6 to read:

7 46.22 (1) (b) 1. (intro.) The Except as provided in s. 49.78 (1m), the county  
8 department of social services shall have the following functions, duties and powers  
9 in accordance with the rules promulgated by the department of health services and  
10 subject to the supervision of the department of health services:

11 **\*-1019/5.23\* SECTION 1286.** 46.22 (1) (b) 1. c. of the statutes is renumbered  
12 46.22 (1) (b) 2. h. and amended to read:

13 46.22 (1) (b) 2. h. Within the limits of available state and federal funds and of  
14 county funds appropriated to match state funds, to provide social services for persons  
15 eligible for or receiving supplemental security aids under Title XVI of the social  
16 security act, eligible for or receiving state supplemental payments under s. ~~49.77~~  
17 49.39 or eligible for or receiving aid to families with dependent children under s.  
18 49.19.

19 **\*-1019/5.24\* SECTION 1287.** 46.22 (1) (b) 2. d. of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.22 (1) (b) 2. d. This SECTION has been affected by  
drafts with the following LRB numbers: 1019/4 and 1195/1.

20 **\*-1019/5.25\* SECTION 1288.** 46.22 (1) (d) of the statutes is amended to read:

21 46.22 (1) (d) *Merit system; records.* The county department of social services  
22 is subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g). The county department of social services  
23 and all county officers and employees performing any duties in connection with the

administration of aid to families with dependent children shall observe all rules promulgated by the department of children and families under s. ~~49.78 (4)~~ 49.19 (19g) (a) and shall keep records and furnish reports as the department of children and families requires in relation to their performance of such duties.

**\*-0203/P3.3\* SECTION 1289.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

46.22 (1) (e) 3. c. A county department of social services shall develop, under the requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related care and services to be purchased. The department of corrections may review the contracts and approve them if they are consistent with s. 301.08 (2) and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department of corrections to submit the contracts to the committee for review and approval. The department of corrections may not make any payments to a county for programs included in the contract that is under review by the committee. The department of corrections shall reimburse each county for the contracts from the appropriations under s. 20.410 (3) (cd), ~~(ko), and (o)~~ and (ko) as appropriate.

**\*-1019/5.26\* SECTION 1290.** 46.22 (2) (b) of the statutes is amended to read:

46.22 (2) (b) Appoint the county social services director under sub. (3) subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the rules promulgated thereunder and subject to the approval of the county board of supervisors in a county with a single-county department of social services or the county boards of supervisors in counties with a multicounty department of social services.

**\*-1019/5.27\* SECTION 1291.** 46.22 (3m) (a) of the statutes is amended to read:

1           46.22 (3m) (a) In any county with a county executive or a county administrator  
2 that has established a single-county department of social services, the county  
3 executive or county administrator, subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the  
4 rules promulgated thereunder, shall appoint and supervise the county social services  
5 director. The appointment is subject to the confirmation of the county board of  
6 supervisors unless the county board of supervisors, by ordinance, elects to waive  
7 confirmation or unless the appointment is made under a civil service system  
8 competitive examination procedure established under s. 59.52 (8) or ch. 63.

9           \*-1324/P1.4\* SECTION 1292. 46.23 (3) (a) of the statutes is amended to read:

10           46.23 (3) (a) *Creation.* Upon approval by the secretary of health services, by  
11 the secretary of corrections, and by the secretary of children and families of a  
12 feasibility study and a program implementation plan, the county board of  
13 supervisors of any county with a population of less than 500,000, or the county boards  
14 of supervisors of 2 or more contiguous counties, each of which has a population of less  
15 than 500,000, may establish by resolution a county department of human services  
16 on a single-county or multicounty basis to provide the services required under this  
17 section. The county department of human services shall consist of the county human  
18 services board, the county human services director and necessary personnel.

19           \*-1019/5.28\* SECTION 1293. 46.27 (7) (am) of the statutes is amended to read:

20           46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
21 shall allocate funds to each county or private nonprofit agency with which the  
22 department contracts to pay assessment and case plan costs under sub. (6) not  
23 otherwise paid by fee or under s. 49.45 or ~~49.78 (2)~~. The department shall reimburse  
24 counties for the cost of assessing persons who are eligible for medical assistance  
25 under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) ~~as part of the administrative services~~

1 ~~of medical assistance, payable, as provided~~ under s. 49.45 (3) (a). Counties may use  
2 unspent funds allocated under this paragraph to pay the cost of long-term  
3 community support services and for a risk reserve under par. (fr).

4 **\*-0809/4.3\* SECTION 1294.** 46.27 (9) (a) of the statutes is amended to read:

5 46.27 (9) (a) The department may select up to 5 counties that volunteer to  
6 participate in a pilot project under which they will receive certain funds allocated for  
7 long-term care. The department shall allocate a level of funds to these counties  
8 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)  
9 to nursing homes for providing care because of increased utilization of nursing home  
10 services, as estimated by the department. In estimating these levels, the department  
11 shall exclude any increased utilization of services provided by state centers for the  
12 developmentally disabled. The department shall calculate these amounts on a  
13 calendar year basis under sub. (10).

14 **\*-0809/4.4\* SECTION 1295.** 46.27 (10) (a) 1. of the statutes is amended to read:

15 46.27 (10) (a) 1. The department shall determine for each county participating  
16 in the pilot project under sub. (9) a funding level of state medical assistance  
17 expenditures to be received by the county. This level shall equal the amount that the  
18 department determines would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)  
19 because of increased utilization of nursing home services, as estimated by the  
20 department.

21 **\*-0809/4.5\* SECTION 1296.** 46.275 (5) (a) of the statutes is amended to read:

22 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the  
23 department under sub. (3r), provides under this program is available from the  
24 appropriation accounts under s. 20.435 (4) (b), (gm), (o), and (w). If 2 or more counties  
25 jointly contract to provide services under this program and the department approves

## SECTION 1296

1 the contract, Medical Assistance reimbursement is also available for services  
2 provided jointly by these counties.

3 **\*-0809/4.6\* SECTION 1297.** 46.275 (5) (c) of the statutes is amended to read:

4 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gm), (o), and (w) to  
5 counties and to the department under sub. (3r) for services provided under this  
6 section may not exceed the amount approved by the federal department of health and  
7 human services. A county may use funds received under this section only to provide  
8 services to persons who meet the requirements under sub. (4) and may not use  
9 unexpended funds received under this section to serve other developmentally  
10 disabled persons residing in the county.

11 **\*-0809/4.7\* SECTION 1298.** 46.278 (6) (d) of the statutes is amended to read:

12 46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
13 share of service costs under a waiver received under sub. (3), the department may,  
14 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services  
15 that the county provides under this section to persons who are in addition to those  
16 who may be served under this section with funds from the appropriation accounts  
17 under s. 20.435 (4) (b), (gm), or (w).

18 **\*-0809/4.8\* SECTION 1299.** 46.2785 (5) (a) of the statutes is amended to read:

19 46.2785 (5) (a) Medical assistance reimbursement for services a county or  
20 private agency contracts for or provides under the waiver program shall be made  
21 from the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

22 **\*-0241/4.3\* SECTION 1300.** 46.281 (3) of the statutes is amended to read:

23 46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,  
24 hospital, nursing home, community-based residential facility, adult family home, as  
25 ~~defined in s. 50.01 (1) (a) or (b),~~ and residential care apartment complex the date on

1 which a resource center that serves the area of the county, hospital, nursing home,  
2 community-based residential facility, adult family home, or residential care  
3 apartment complex is first available to perform functional screenings and financial  
4 and cost-sharing screenings. To facilitate phase-in of services of resource centers,  
5 the secretary may certify that the resource center is available for specified groups of  
6 eligible individuals or for specified facilities in the county.

7 **\*-1019/5.29\* SECTION 1301.** 46.283 (3) (k) of the statutes is amended to read:

8 46.283 (3) (k) A determination of eligibility for state supplemental payments  
9 under s. ~~49.77~~ 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or  
10 the federal food stamp program under 7 USC 2011 to 2029.

11 **\*-1195/2.13\* SECTION 1302.** 46.283 (3) (k) of the statutes, as affected by 2011

12 Wisconsin Act .... (this act), is amended to read:

13 46.283 (3) (k) A determination of eligibility for state supplemental payments  
14 under s. 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or the  
15 federal food stamp supplemental nutrition assistance program under 7 USC 2011 to  
16 ~~2029~~ 2036.

\*\*\*\*NOTE: This is reconciled s. 46.283 (3) (k). This SECTION has been affected by  
drafts with the following LRB numbers: 1019/4 and 1195/1.

17 **\*-0241/4.4\* SECTION 1303.** 46.283 (4) (e) of the statutes is amended to read:

18 46.283 (4) (e) Provide information about the services of the resource center,  
19 including the services specified in sub. (3) (d), about assessments under s. 46.284 (4)  
20 (b) and care plans under s. 46.284 (4) (c), and about the family care benefit and the  
21 self-directed services option to all older persons and adults with a physical or  
22 developmental disability who are residents of nursing homes, community-based  
23 residential facilities, adult family homes, ~~as defined in s. 50.01 (1) (a) or (b)~~, and

## SECTION 1303

1 residential care apartment complexes in the area of the resource center when the  
2 benefit under s. 46.286 first becomes available in the county where the nursing home,  
3 community-based residential facility, adult family home, or residential care  
4 apartment complex is located.

5 **\*-0241/4.5\* SECTION 1304.** 46.283 (4) (g) of the statutes is amended to read:

6 46.283 (4) (g) Perform a functional screening and a financial and cost-sharing  
7 screening for any person seeking admission to a nursing home, community-based  
8 residential facility, residential care apartment complex, or adult family home, as  
9 defined in s. 50.01 (1) (a) or (b), if the secretary has certified that the resource center  
10 is available to the person and the facility and the person is determined by the  
11 resource center to have a condition that is expected to last at least 90 days that would  
12 require care, assistance, or supervision. A resource center may not require a  
13 financial and cost-sharing screening for a person seeking admission or about to be  
14 admitted on a private pay basis who waives the requirement for a financial and  
15 cost-sharing screening under this paragraph, unless the person is expected to  
16 become eligible for medical assistance within 6 months. A resource center need not  
17 perform a functional screening for a person seeking admission or about to be  
18 admitted for whom a functional screening was performed within the previous 6  
19 months.

20 **\*-0809/4.9\* SECTION 1305.** 46.283 (5) of the statutes is amended to read:

21 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
22 (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with  
23 organizations that meet standards under sub. (3) for performance of the duties under  
24 sub. (4) and shall distribute funds for services provided by resource centers.

25 **\*-0809/4.10\* SECTION 1306.** 46.284 (5) (a) of the statutes is amended to read:



1           46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gm),  
2           (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on  
3           a capitated payment basis for the provision of services under this section.  
4           Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
5           under contract with the department may expend the funds, consistent with this  
6           section, including providing payment, on a capitated basis, to providers of services  
7           under the family care benefit.

8           **\*-1465/P4.328\* \*-0808/2.193\* SECTION 1307.** 46.29 (3) (e) of the statutes is  
9           amended to read:

10          46.29 (3) (e) The secretary of ~~commerce~~ safety and professional services.

11          **\*-0174/4.2\* SECTION 1308.** 46.40 (9) (d) of the statutes is amended to read:

12          46.40 (9) (d) *Payment adjustments for certain Medical Assistance services.* The  
13          department may decrease a county's allocation under sub. (2) by the amount of any  
14          payment adjustments under s. 49.45 (52) (a) made for that county from the  
15          appropriation account under s. 20.435 (7) (b) for services described under s. 49.45 (52)  
16          (a) 1. The total amount of the decrease for a county under this paragraph during any  
17          fiscal year may not exceed that part of the county's allocation under sub. (2) that  
18          derives from the appropriation account under s. 20.435 (7) (b) for that fiscal year.

19          **\*-1019/5.30\* SECTION 1309.** 46.40 (9) (e) of the statutes is created to read:

20          46.40 (9) (e) *Adjustment for income maintenance programs.* In each fiscal year,  
21          beginning in fiscal year 2012-13, the department shall decrease a county's allocation  
22          under sub. (2) from the appropriation under s. 20.435 (7) (b) by the amount that the  
23          department determines the county expended in calendar year 2009 to provide  
24          income maintenance programs, as defined in s. 49.78 (1) (b).

25          **\*-0713/2.3\* SECTION 1310.** 46.48 (1) of the statutes is amended to read:

## SECTION 1310

1           46.48 (1) GENERAL. From the appropriation accounts under s. 20.435 (5) (bc)  
2           and (7) (bc), the department shall award grants for community programs as provided  
3           in ~~this section~~ subs. (4) to (30).

4           **\*-0713/2.4\* SECTION 1311.** 46.48 (31) of the statutes is created to read:

5           46.48 (31) BRIGHTER FUTURES INITIATIVE. From the appropriation account under  
6           s. 20.435 (5) (bc), the department shall transfer not more than \$865,000 in each fiscal  
7           year to the appropriation account under s. 20.437 (1) (kb) to award grants under s.  
8           48.545.

9           **\*-1465/P4.329\* \*-0808/2.194\* SECTION 1312.** 46.90 (1) (gr) 3. of the statutes  
10          is amended to read:

11          46.90 (1) (gr) 3. The department of ~~regulation and licensing~~ safety and  
12          professional services.

13          **\*-1465/P4.330\* \*-0808/2.195\* SECTION 1313.** 46.90 (5m) (br) 5. of the statutes  
14          is amended to read:

15          46.90 (5m) (br) 5. Refer the case to the department of ~~regulation and licensing~~  
16          safety and professional services if the financial exploitation, neglect, self-neglect, or  
17          abuse involves an individual who is required to hold a credential, as defined in s.  
18          440.01 (2) (a), under chs. 440 to 460.

19          **\*-0724/1.3\* SECTION 1314.** 46.99 (3) of the statutes is amended to read:

20          46.99 (3) If the waiver requested under sub. (2) is granted, counties shall  
21          provide to the department the nonfederal share of costs for medical assistance  
22          services provided under the waiver. Counties may use moneys appropriated under  
23          s. 20.435 (7) (bt) and distributed to counties under s. 51.44 (3) (a) to provide the  
24          nonfederal share of medical assistance costs.

25          **\*-0724/1.4\* SECTION 1315.** 46.99 (3m) of the statutes is created to read:

1           46.99 (3m) If the waiver requested under sub. (2) is granted, counties shall  
2 provide to the department the nonfederal share of the cost incurred by an entity to  
3 administer the waiver program under this section.

4           **\*-0724/1.5\* SECTION 1316.** 46.99 (4) of the statutes is amended to read:

5           46.99 (4) From the appropriation account under s. 20.435 (4) (o), the  
6 department ~~shall~~ may distribute to counties that provide services under this section  
7 the amount of federal moneys received by the state as the federal share of medical  
8 assistance for those services, minus the amount transferred to the appropriation  
9 account under s. 20.435 (7) (im) for the department's costs of administering this  
10 section. Counties shall use moneys distributed under this section to provide services  
11 under this section or s. 51.44.

12           **\*-0724/1.6\* SECTION 1317.** 46.995 of the statutes is created to read:

13           **46.995 Disabled children's long-term support program; local funding.**

14           (1) A county shall provide to the department the nonfederal share of the cost  
15 incurred by an entity to administer services provided without state funding under  
16 the disabled children's long-term support program for a child enrolled in the  
17 program after December 31, 2010.

18           (2) A county shall provide to the department the nonfederal share of the cost  
19 of services provided without state funding under the disabled children's long-term  
20 support program.

21           **\*-0197/1.1\* SECTION 1318.** 47.03 (11) (a) of the statutes is amended to read:

22           47.03 (11) (a) The department shall provide services, including vocational  
23 training, ~~craft instruction~~ and a supervised business initiatives program for persons  
24 with severe disabilities who are eligible for vocational rehabilitation services. Under  
25 this subsection, the department may own, lease, manage, supervise or operate

## SECTION 1318

1 businesses for the benefit of persons with severe disabilities, ~~including home-based~~  
2 ~~employment and craft work~~, with the ultimate objective of enabling persons with  
3 severe disabilities to operate their own businesses. ~~The department shall assist~~  
4 ~~persons with severe disabilities who receive these services in marketing the finished~~  
5 ~~products.~~

6 **\*-0197/1.2\* SECTION 1319.** 47.03 (11) (c) of the statutes is repealed.

7 **\*-0197/1.3\* SECTION 1320.** 47.03 (11) (d) of the statutes is repealed.

8 **\*-0197/1.4\* SECTION 1321.** 47.03 (11) (e) of the statutes is repealed.

9 **\*-1213/1.13\* SECTION 1322.** 48.345 (12) (a) 1. of the statutes is amended to  
10 read:

11 48.345 (12) (a) 1. A nonresidential educational program, ~~including a program~~  
12 ~~for children at risk under s. 118.153~~, provided by the school district in which the child  
13 resides.

14 **\*-1213/1.14\* SECTION 1323.** 48.487 (4m) (a) 2. of the statutes is amended to  
15 read:

16 48.487 (4m) (a) 2. "Dropout" has the meaning given under s. ~~118.153 (1) (b)~~  
17 115.001 (2m).

18 **\*-0713/2.5\* SECTION 1324.** 48.545 (2) (a) (intro.) of the statutes is amended to  
19 read:

20 48.545 (2) (a) (intro.) From the appropriations under s. 20.437 (1) (eg), ~~(kb)~~, and  
21 (nL), the department shall distribute \$2,097,700 in each fiscal year to applying  
22 nonprofit corporations and public agencies operating in a county having a population  
23 of 500,000 or more, \$1,171,800 in each fiscal year to applying county departments  
24 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county

1 having a population of 500,000 or more, and \$55,000 in each fiscal year to Diverse  
2 and Resilient, Inc. to provide programs to accomplish all of the following:

3 **\*-0885/1.7\* SECTION 1325.** 48.563 (1) (a) of the statutes is amended to read:

4 48.563 (1) (a) Within the limits of available federal funds and of the  
5 appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute  
6 funds for children and family services to county departments as provided in subs. (2),  
7 (3), and (7m) and s. 48.986.

8 **\*-1321/2.4\* SECTION 1326.** 48.565 (2) (c) of the statutes is amended to read:

9 48.565 (2) (c) The department shall credit to the appropriation account under  
10 s. 20.437 (3) ~~(mp)~~ (kp) any moneys carried forward under par. (a), but not distributed  
11 to counties, and may expend those moneys as provided in s. 48.567.

12 **\*-1321/2.5\* SECTION 1327.** 48.567 (1) of the statutes is amended to read:

13 48.567 (1) From the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp), the  
14 department shall support costs that are exclusively related to the ongoing and  
15 recurring operational costs of augmenting the amount of moneys received under 42  
16 USC 670 to 679a and to any other purpose provided for by the legislature by law or  
17 in budget determinations. In addition, the department may expend moneys from the  
18 those appropriation account under s. 20.437 (3) ~~(mp)~~ accounts as provided in subs.  
19 (1m) and (2).

20 **\*-1321/2.6\* SECTION 1328.** 48.567 (1m) of the statutes is amended to read:

21 48.567 (1m) In addition to expending moneys from the appropriation account  
22 under s. 20.437 (3) ~~(mp)~~ (kp) for the augmentation activities specified in sub. (1), the  
23 department may expend moneys ~~received under 42 USC 1396 to 1396v in~~  
24 ~~reimbursement of the cost of providing targeted case management services to~~  
25 ~~children whose care is not eligible for reimbursement under 42 USC 670 to 679a and~~

1 ~~credited to the~~ from that appropriation account under s. 20.437 (3) ~~(mp)~~ to support  
2 the counties' share of implementing the statewide automated child welfare  
3 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
4 families under s. 48.48 (17).

5 **\*-1321/2.7\* SECTION 1329.** 48.567 (2) of the statutes is amended to read:

6 48.567 (2) If the department proposes to use any moneys from the  
7 appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) for any purpose other than the  
8 purposes specified in subs. (1) and (1m), the department shall submit a plan for the  
9 proposed use of those moneys to the secretary of administration by September 1 of  
10 the fiscal year after the fiscal year in which those moneys were received. If the  
11 secretary of administration approves the plan, he or she shall submit the plan to the  
12 joint committee on finance by October 1 of the fiscal year after the fiscal year in which  
13 those moneys were received. If the cochairpersons of the committee do not notify the  
14 secretary of administration within 14 working days after the date of submittal of the  
15 plan that the committee has scheduled a meeting for the purpose of reviewing the  
16 plan, the department may implement the plan. If within 14 working days after the  
17 date of the submittal by the secretary of administration the cochairpersons of the  
18 committee notify him or her that the committee has scheduled a meeting for the  
19 purpose of reviewing the plan, the department may implement the plan only with the  
20 approval of the committee.

21 **\*-0885/1.8\* SECTION 1330.** 48.569 (1) (am) of the statutes is amended to read:

22 48.569 (1) (am) The department shall reimburse each county from the  
23 appropriations under s. 20.437 (1) (b), (km), and (o) for children and family services  
24 as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

25 **\*-0885/1.9\* SECTION 1331.** 48.569 (1) (d) of the statutes is amended to read:

1           48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), (km), and (o), the  
2       department shall distribute the funding for children and family services, including  
3       funding for foster care or subsidized guardianship care of a child on whose behalf aid  
4       is received under s. 48.645 to county departments as provided under s. 48.563.  
5       County matching funds are required for the distribution under s. 48.563 (2). Each  
6       county's required match for the distribution under s. 48.563 (2) shall be specified in  
7       a schedule established annually by the department. Matching funds may be from  
8       county tax levies, federal and state revenue sharing funds, or private donations to  
9       the county that meet the requirements specified in sub. (1m). Private donations may  
10      not exceed 25 percent of the total county match. If the county match is less than the  
11      amount required to generate the full amount of state and federal funds distributed  
12      for this period, the decrease in the amount of state and federal funds equals the  
13      difference between the required and the actual amount of county matching funds.

14           **\*-1019/5.31\* SECTION 1332.** 48.57 (3m) (am) 6. of the statutes is amended to  
15      read:

16           48.57 (**3m**) (am) 6. The child for whom the kinship care relative is providing  
17      care and maintenance is not receiving supplemental security income under 42 USC  
18      1381 to 1383c or state supplemental payments under s. 49.77 49.39.

19           **\*-1019/5.32\* SECTION 1333.** 48.57 (3n) (am) 5r. of the statutes is amended to  
20      read:

21           48.57 (**3n**) (am) 5r. The child for whom the long-term kinship care relative is  
22      providing care and maintenance is not receiving supplemental security income  
23      under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 49.39.

24           **\*-1465/P4.331\* \*-0808/2.196\* SECTION 1334.** 48.67 (intro.) of the statutes is  
25      amended to read:

**48.67 Rules governing child welfare agencies, child care centers, foster homes, group homes, shelter care facilities, and county departments.**

(intro.) The department shall promulgate rules establishing minimum requirements for the issuance of licenses to, and establishing standards for the operation of, child welfare agencies, child care centers, foster homes, group homes, shelter care facilities, and county departments. Those rules shall be designed to protect and promote the health, safety, and welfare of the children in the care of all licensees. The department shall consult with the department of ~~commerce~~ safety and professional services, the department of public instruction, and the child abuse and neglect prevention board before promulgating those rules. For foster homes, those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall include rules that require all of the following:

**\*-1465/P4.332\* \*-0808/2.197\* SECTION 1335.** 48.685 (2) (am) 3. of the statutes is amended to read:

48.685 (2) (am) 3. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

**\*-1465/P4.333\* \*-0808/2.198\* SECTION 1336.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

**\*-1465/P4.334\* \*-0808/2.199\* SECTION 1337.** 48.685 (4m) (a) 5. of the statutes is amended to read:



1           48.685 (4m) (a) 5. That, in the case of a position for which the person must be  
2           credentialed by the department of ~~regulation and licensing~~ safety and professional  
3           services, the person's credential is not current or is limited so as to restrict the person  
4           from providing adequate care to a client.

5           **\*-1465/P4.335\* \*-0808/2.200\* SECTION 1338.** 48.685 (4m) (b) 5. of the statutes  
6           is amended to read:

7           48.685 (4m) (b) 5. That, in the case of a position for which the person must be  
8           credentialed by the department of ~~regulation and licensing~~ safety and professional  
9           services, the person's credential is not current or is limited so as to restrict the person  
10          from providing adequate care to a client.

11          **\*-1019/5.33\* SECTION 1339.** 48.685 (5) (br) 5. of the statutes is amended to  
12          read:

13          48.685 (5) (br) 5. An offense involving fraudulent activity as a participant in  
14          the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of  
15          a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent  
16          children under s. 49.19, medical assistance under subch. IV of ch. 49, food stamps  
17          benefits under the food stamp program under 7 USC 2011 to 2036, supplemental  
18          security income payments under s. 49.77, 2009 stats., or s. 49.39, payments for the  
19          support of children of supplemental security income recipients under s. 49.775, 2009  
20          stats., or s. 49.395, or health care benefits under the Badger Care health care  
21          program under s. 49.665.

22          **\*-1195/2.14\* SECTION 1340.** 48.685 (5) (br) 5. of the statutes, as affected by  
23          2011 Wisconsin Act .... (this act), is amended to read:

24          48.685 (5) (br) 5. An offense involving fraudulent activity as a participant in  
25          the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of

## SECTION 1340

1 a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent  
2 children under s. 49.19, medical assistance under subch. IV of ch. 49, ~~food stamps~~  
3 benefits under the ~~food stamp~~ supplemental nutrition assistance program under 7  
4 USC 2011 to 2036, supplemental security income payments under s. 49.77, 2009  
5 stats., or s. 49.39, payments for the support of children of supplemental security  
6 income recipients under s. 49.775, 2009 stats., or s. 49.395, or health care benefits  
7 under the Badger Care health care program under s. 49.665.

\*\*\*\*NOTE: This is reconciled s. 48.685 (5) (br) 5. This SECTION has been affected by  
drafts with the following LRB numbers: 1019/4 and 1195/1.

8 **\*-1465/P4.336\* \*-0808/2.201\* SECTION 1341.** 48.78 (2) (g) of the statutes is  
9 amended to read:

10 48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing  
11 information about an individual in its care or legal custody on the written request  
12 of the department of ~~regulation and licensing~~ safety and professional services or of  
13 any interested examining board or affiliated credentialing board in that department  
14 for use in any investigation or proceeding relating to any alleged misconduct by any  
15 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.  
16 Unless authorized by an order of the court, the department of ~~regulation and~~  
17 ~~licensing~~ safety and professional services and any examining board or affiliated  
18 credentialing board in that department shall keep confidential any information  
19 obtained under this paragraph and may not disclose the name of or any other  
20 identifying information about the individual who is the subject of the information  
21 disclosed, except to the extent that redisclosure of that information is necessary for  
22 the conduct of the investigation or proceeding for which that information was  
23 obtained.

1           **\*-1187/P5.373\* SECTION 1342.** 48.84 (1) of the statutes is amended to read:

2           48.84 (1) Before a child may be placed under s. 48.833 for adoption by a  
3           proposed adoptive parent who has not previously adopted a child, before a proposed  
4           adoptive parent who has not previously adopted a child may petition for placement  
5           of a child for adoption under s. 48.837, and before a proposed adoptive parent who  
6           has not previously adopted a child may bring a child into this state for adoption under  
7           s. 48.839, the proposed adoptive parent shall complete the preadoption preparation  
8           required under this section. The preparation shall be provided by a licensed child  
9           welfare agency, a licensed private adoption agency, the state adoption information  
10          exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded  
11          foster care and adoption resource center, a state-funded postadoption resource  
12          center, a technical college district school, the University of Wisconsin-Madison, or  
13          an institution or college campus within the University of Wisconsin System. If the  
14          proposed adoptive parent does not reside in this state, he or she may meet this  
15          requirement by obtaining equivalent preparation in his or her state of residence.

16          **\*-0183/1.1\* SECTION 1343.** 48.981 (3m) (b) (intro.) of the statutes is amended  
17          to read:

18          48.981 (3m) (b) (intro.) The department shall establish a pilot program under  
19          which an agency in a county having a population of 500,000 or more or a county  
20          department that is selected to participate in the pilot program may employ  
21          alternative responses to a report of abuse or neglect or of threatened abuse or neglect.  
22          The department shall select ~~an agency in a county having a population of 500,000~~  
23          ~~or more and not more than 4~~ agencies and county departments to participate in the  
24          pilot program in accordance with the department's request-for-proposal procedures  
25          and according to criteria developed by the department. Those criteria shall include

1 an assessment of the plan of an agency or county department for involving the  
2 community in providing services for a family that is participating in the pilot  
3 program and a determination of whether an agency or a county department has an  
4 agreement with local law enforcement agencies and the representative of the public  
5 under s. 48.09 to ensure interagency cooperation in implementing the pilot program.

6 To implement the pilot program, the department shall provide all of the following:

7 **\*-1195/2.15\* SECTION 1344.** 49.131 (3) of the statutes is amended to read:

8 49.131 (3) The Except as provided in s. 49.377 (2), the department may not  
9 require a county or tribal governing body to participate in an electronic benefit  
10 transfer system under this section if the costs to the county or tribal governing body  
11 would be greater than the costs that the county or tribal governing body would incur  
12 in delivering the benefits through a system that is not an electronic benefit transfer  
13 system.

14 **\*-1195/2.16\* SECTION 1345.** 49.141 (7) (c) 3. of the statutes is amended to read:

15 49.141 (7) (c) 3. Fraudulently misstating or misrepresenting his or her identity  
16 or place of residence for the purpose of receiving simultaneously in this state and at  
17 least one other state benefits under the federal ~~food stamp~~ supplemental nutrition  
18 assistance program under 7 USC 2011 to 2029 2036.

19 **\*-1195/2.17\* SECTION 1346.** 49.143 (2) (d) of the statutes is amended to read:

20 49.143 (2) (d) If the Wisconsin ~~works~~ Works agency is not a county department  
21 under s. 46.215, 46.22 or 46.23 or tribal governing body, cooperate with the county  
22 department or tribal governing body to ensure that services delivered under  
23 Wisconsin ~~works~~ Works, the ~~food stamp~~ supplemental nutrition assistance program  
24 and medical assistance are coordinated with the county or tribal governing body in  
25 a manner that most effectively serves the recipients of those services.

1           **\*-1146/1.1\* SECTION 1347.** 49.143 (2r) of the statutes is amended to read:

2           49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with  
3           the local workforce development board to connect individuals seeking employment  
4           with employment opportunities, including the trial job program under s. 49.147 (3)  
5           and, if operating in the geographical area in which the Wisconsin Works agency  
6           administers Wisconsin Works, the transitional jobs demonstration project under s.  
7           49.162.

8           **\*-1019/5.34\* SECTION 1348.** 49.145 (2) (i) of the statutes is amended to read:

9           49.145 (2) (i) The individual is not receiving supplemental security income  
10          under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77 49.39  
11          and, if the individual is a dependent child, the custodial parent of the individual does  
12          not receive a payment on behalf of the individual under s. 49.775 49.395. The  
13          department may require an individual who receives benefits under s. 49.148 and who  
14          has applied for supplemental security income under 42 USC 1381 to 1383c to  
15          authorize the federal social security administration to reimburse the department for  
16          the benefits paid to the individual under s. 49.148 during the period that the  
17          individual was entitled to supplemental security income benefits to the extent that  
18          retroactive supplemental security income benefits are made available to the  
19          individual.

20          **\*-1146/1.2\* SECTION 1349.** 49.147 (3) (c) of the statutes is created to read:

21          49.147 (3) (c) *Time-limited participation.* A participant under this subsection  
22          may participate in a trial job for a maximum of 3 months, with an opportunity for a  
23          3-month extension under circumstances determined by the Wisconsin Works  
24          agency. A participant may participate in more than one trial job, but may not exceed  
25          a total of 24 months of participation under this subsection. The months need not be

consecutive. The department or, with the approval of the department, the Wisconsin Works agency may grant an extension of the 24-month limit on a case-by-case basis if the participant has made all appropriate efforts to find unsubsidized employment and has been unable to find unsubsidized employment because local labor market conditions preclude a reasonable job opportunity for that participant, as determined by a Wisconsin Works agency and approved by the department.

**\*-1146/1.3\* SECTION 1350.** 49.147 (4) (as) of the statutes is amended to read:  
49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and sub. (5m), a Wisconsin Works agency shall require a participant placed in a community service job program to work in a community service job for the number of hours determined by the Wisconsin Works agency to be appropriate for the participant at the time of application or review, ~~except that the~~ but not to exceed 30 hours per week. Except as provided in pars. (at) and (av), a Wisconsin Works agency may not require a participant under this subsection to spend more than 40 hours per week in combined activities under this subsection participate in education or training activities for not more than 10 hours per week.

**\*-1146/1.4\* SECTION 1351.** 49.147 (4) (b) of the statutes is created to read:  
49.147 (4) (b) *Time-limited participation.* An individual may participate in a community service job for a maximum of 6 months, with an opportunity for a 3-month extension under circumstances approved by the department. An individual may participate in more than one community service job, but may not exceed a total of 24 months of participation under this subsection. The months need not be consecutive. The department or, with the approval of the department, the Wisconsin Works agency may grant an extension to the 24-month limit on a case-by-case basis if the Wisconsin Works agency determines that the individual has made all

1 appropriate efforts to find unsubsidized employment and has been unable to find  
2 unsubsidized employment because local labor market conditions preclude a  
3 reasonable employment opportunity in unsubsidized employment for that  
4 participant, as determined by a Wisconsin Works agency and approved by the  
5 department, and if the Wisconsin Works agency determines, and the department  
6 agrees, that no trial job opportunities are available in the specified local labor  
7 market.

8 **\*-1146/1.5\* SECTION 1352.** 49.147 (5) (b) (intro.) of the statutes is renumbered  
9 49.147 (5) (b) 1. (intro.) and amended to read:

10 49.147 (5) (b) 1. (intro.) The Wisconsin ~~works~~ Works agency shall assign a  
11 participant under this subsection to work activities such as a community  
12 rehabilitation program, as defined by the department, a job similar to a community  
13 service job, or a volunteer activity. A Wisconsin ~~works~~ Works agency may require a  
14 participant under this subsection to participate in any of the following:

15 **\*-1146/1.6\* SECTION 1353.** 49.147 (5) (b) 1m. of the statutes is renumbered  
16 49.147 (5) (b) 1. a. and amended to read:

17 49.147 (5) (b) 1. a. An alcohol and other drug abuse evaluation, assessment, and  
18 treatment program.

19 **\*-1146/1.7\* SECTION 1354.** 49.147 (5) (b) 2. of the statutes is created to read:

20 49.147 (5) (b) 2. An individual may participate in a transitional placement for  
21 a maximum of 24 months. The months need not be consecutive. This period may be  
22 extended on a case-by-case basis by the department or by the Wisconsin Works  
23 agency with the approval of the department.

24 **\*-1146/1.8\* SECTION 1355.** 49.147 (5) (b) 2m. of the statutes is renumbered  
25 49.147 (5) (b) 1. b.

## SECTION 1356

1           **\*-1146/1.9\* SECTION 1356.** 49.147 (5) (b) 3. of the statutes is renumbered  
2           49.147 (5) (b) 1. c.

3           **\*-1146/1.10\* SECTION 1357.** 49.147 (5) (b) 4. of the statutes is renumbered  
4           49.147 (5) (b) 1. d. and amended to read:

5           49.147 (5) (b) 1. d. Other activities that the Wisconsin ~~works~~ Works agency  
6           determines are consistent with the capabilities of the individual.

7           **\*-1146/1.11\* SECTION 1358.** 49.147 (5) (bs) of the statutes is amended to read:

8           49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),  
9           a Wisconsin Works agency may require a participant placed in a transitional  
10          placement to engage in activities under par. (b) ~~1m. to 4.~~ The 1. for up to 28 hours  
11          per week. Except as provided in sub. (5m), a Wisconsin Works agency may not  
12          require a participant under this subsection to spend more than 40 hours per week  
13          in combined activities under this subsection participate in education or training  
14          activities under par. (bm) for not more than 12 hours per week.

15          **\*-1146/1.12\* SECTION 1359.** 49.148 (1) (b) 1. of the statutes is amended to read:

16          49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a  
17          community service job under s. 49.147 (4), a monthly grant of ~~\$673~~ \$653, paid by the  
18          Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or  
19          education or training activities without good cause, the grant amount shall be  
20          reduced by \$5.15. Good cause shall be determined by the financial and employment  
21          planner in accordance with rules promulgated by the department. Good cause shall  
22          include required court appearances for a victim of domestic abuse. If a participant  
23          in a community service job under s. 49.147 (4) is required to work fewer than 30 hours  
24          per week because the participant has unsubsidized employment, as defined in s.  
25          49.147 (1) (c), the grant amount under this paragraph shall equal the amount



1 specified under subd. 1m. minus \$5.15 for each hour that the participant misses work  
2 or education or training activities without good cause.

3 **\*-1146/1.13\* SECTION 1360.** 49.148 (1) (b) 1m. d. of the statutes is amended to  
4 read:

5 49.148 (1) (b) 1m. d. For a participant placed in a community service job for  
6 more than 20 hours per week, ~~\$673~~ \$653.

7 **\*-1146/1.14\* SECTION 1361.** 49.148 (1) (b) 3. of the statutes is amended to read:

8 49.148 (1) (b) 3. For a participant in a community service job who participates  
9 in technical college education under s. 49.147 (5m), a monthly grant of ~~\$673~~ \$653,  
10 paid by the Wisconsin ~~works~~ Works agency. For every hour that the participant  
11 misses work or other required activities without good cause, the grant amount shall  
12 be reduced by \$5.15. Good cause shall be determined by the financial and  
13 employment planner in accordance with rules promulgated by the department. Good  
14 cause shall include required court appearances for a victim of domestic abuse.

15 **\*-1146/1.15\* SECTION 1362.** 49.148 (1) (c) of the statutes is amended to read:

16 49.148 (1) (c) *Transitional placements.* For a participant in a transitional  
17 placement under s. 49.147 (5) or in a transitional placement and in technical college  
18 education under s. 49.147 (5m), a grant of ~~\$628~~ \$608, paid monthly by the Wisconsin  
19 Works agency. For every hour that the participant fails to participate in any required  
20 activity without good cause, including any activity under s. 49.147 (5) (b) ~~1m. to 4.~~  
21 1. a. to d., the grant amount shall be reduced by \$5.15. Good cause shall be  
22 determined by the financial and employment planner in accordance with rules  
23 promulgated by the department. Good cause shall include required court  
24 appearances for a victim of domestic abuse.

1           **\*-1146/1.16\* SECTION 1363.** 49.148 (1m) (c) (intro.) of the statutes is amended  
2 to read:

3           49.148 (1m) (c) (intro.) For purposes of the time ~~limit~~ limits under s. ~~ss.~~ 49.145  
4 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

5           **\*-1146/1.17\* SECTION 1364.** 49.148 (4) (b) of the statutes is amended to read:  
6           49.148 (4) (b) The Wisconsin Works agency may require an individual who tests  
7 positive for use of a controlled substance under par. (a) to participate in a drug abuse  
8 evaluation, assessment, and treatment program as part of the participation  
9 requirement under s. 49.147 (4) ~~(a) and (am)~~ (as) or (5) ~~(b) and (bm)~~ (bs).

10           **\*-1146/1.18\* SECTION 1365.** 49.151 (1) (b) of the statutes is amended to read:  
11           49.151 (1) (b) The participant, or an individual who is in the participant's  
12 Wisconsin Works group and who is subject to the work requirement under s. 49.15  
13 (2), fails, without good cause, as determined by the Wisconsin Works agency, to  
14 appear for an interview with a prospective employer or, if the participant is in a  
15 Wisconsin Works transitional placement, the participant fails to appear for an  
16 assigned activity, including an activity under s. 49.147 (5) (b) ~~1m. to 4. 1. a. to d.,~~  
17 without good cause, as determined by the Wisconsin Works agency.

18           **\*-1146/1.19\* SECTION 1366.** 49.1515 (title) of the statutes is amended to read:

19           **49.1515 (title) Determining nonparticipation without good cause.**

20           **\*-1146/1.20\* SECTION 1367.** 49.1515 (2) of the statutes is repealed.

21           **\*-1146/1.21\* SECTION 1368.** 49.1515 (3) of the statutes is repealed.

22           **\*-1146/1.22\* SECTION 1369.** 49.153 (1) (am) of the statutes is repealed.

23           **\*-1146/1.23\* SECTION 1370.** 49.153 (1) (bm) of the statutes is renumbered  
24 49.153 (1) (a) and amended to read:

1           49.153 (1) (a) ~~After providing the explanation under par. (am), provide~~ Provide  
2 to the participant written notice of the proposed action and of the reasons for the  
3 proposed action.

4           **\*-1146/1.24\* SECTION 1371.** 49.153 (1) (c) of the statutes is amended to read:

5           49.153 (1) (c) After providing the ~~explanation or the attempts to provide an~~  
6 ~~explanation under par. (am) and the notice under par. (bm), if the participant has not~~  
7 ~~already been afforded a conciliation period under s. 49.1515 (3) (a),~~ allow the  
8 participant a reasonable time to rectify the deficiency, failure, or other behavior to  
9 avoid the proposed action.

10          **\*-1146/1.25\* SECTION 1372.** 49.153 (2) of the statutes is amended to read:

11          49.153 (2) RULES. The department shall promulgate rules that establish  
12 procedures for the notice ~~and explanation~~ under sub. (1) (a) and that define  
13 “~~reasonable attempts~~” for the purpose of sub. (1) (am) and “reasonable time” for the  
14 purpose of sub. (1) (c).

15          **\*-1019/5.35\* SECTION 1373.** 49.155 (1) (ah) of the statutes is amended to read:

16          49.155 (1) (ah) “County department or agency” means a county department  
17 under s. 46.215, 46.22, or 46.23, ~~the unit, as defined in s. 49.825 (1) (e),~~ or a Wisconsin  
18 Works agency, child care resource and referral agency, or other agency.

19          **\*-0149/2.5\* SECTION 1374.** 49.155 (1g) (ac) of the statutes is amended to read:

20          49.155 (1g) (ac) A child care scholarship and bonus program, in the amount of  
21 at least ~~\$3,475,000~~ \$3,975,000 per fiscal year.

22          **\*-0149/2.6\* SECTION 1375.** 49.155 (1g) (c) of the statutes is amended to read:

23          49.155 (1g) (c) Child care licensing activities, in the amount of at least  
24 ~~\$5,763,900~~ \$8,767,000 per fiscal year.

25          **\*-0149/2.7\* SECTION 1376.** 49.155 (1g) (g) of the statutes is created to read:

1 49.155 (1g) (g) Contracts and grants to implement the child care quality rating  
2 system under s. 48.659.

3 \*-1203/1.1\* SECTION 1377. 49.155 (1h) of the statutes is repealed.

4 \*-1195/2.18\* SECTION 1378. 49.155 (1m) (a) 3m. of the statutes is amended to  
5 read:

6 49.155 (1m) (a) 3m. Participate in a job search or work experience component  
7 of the ~~food stamp~~ supplemental nutrition assistance employment and training  
8 program under s. ~~49.79 (9)~~ 49.37 (9).

9 \*-1019/5.36\* SECTION 1379. 49.155 (3g) (a) (intro.) of the statutes is amended  
10 to read:

11 49.155 (3g) (a) (intro.) The department may contract with the Milwaukee  
12 County enrollment services unit, as provided in s. ~~49.825 (2) (b)~~ department of health  
13 services, to do any of the following:

14 \*-0148/P2.1\* SECTION 1380. 49.155 (6) (e) of the statutes is renumbered  
15 49.155 (6) (e) 2. and amended to read:

16 49.155 (6) (e) 2. The Except as provided in subd. 3., the department may not  
17 increase the maximum reimbursement rates for child care providers ~~in 2009, in~~  
18 ~~2010, or before June 30 in 2011, 2013.~~

19 \*-0148/P2.2\* SECTION 1381. 49.155 (6) (e) 1. of the statutes is created to read:

20 49.155 (6) (e) 1. In this paragraph, "quality rating plan" means the plan for  
21 implementing the child care quality rating system under s. 48.659 submitted by the  
22 department under 2009 Wisconsin Act 28, section 9108 (7f).

23 \*-0148/P2.3\* SECTION 1382. 49.155 (6) (e) 3. of the statutes is created to read:

1           49.155 (6) (e) 3. The department may modify a child care provider's  
2 reimbursement rate under subd. 2. on the basis of the provider's quality rating, as  
3 described in the quality rating plan, in the following manner:

4           a. For a child care provider who receives a 1-star rating, the department may  
5 deny reimbursement.

6           b. For a child care provider who receives a 2-star rating, the department may  
7 reduce the maximum reimbursement rate by up to 5 percent.

8           c. For a child care provider who receives a 3-star rating, the department shall  
9 pay the maximum reimbursement rate.

10          d. For a child care provider who receives a 4-star rating, the department may  
11 increase the maximum reimbursement rate by up to 5 percent.

12          e. For a child care provider who receives a 5-star rating, the department may  
13 increase the maximum reimbursement rate by up to 10 percent.

14          **\*-0148/P2.4\* SECTION 1383.** 49.155 (6) (e) 4. of the statutes is created to read:

15          49.155 (6) (e) 4. The department may use a severity-index tool, as described  
16 in the quality rating plan, to disqualify child care providers who receive a low quality  
17 rating, as described in the quality rating plan, from providing child care services to  
18 individuals under this section.

19          **\*-1204/1.1\* SECTION 1384.** 49.155 (6d) of the statutes is created to read:

20          49.155 (6d) COST-SAVING MEASURES. To reduce costs under the program under  
21 this section, the department may do any of the following:

22          (a) Notwithstanding sub. (1m), implement a waiting list for receipt of a child  
23 care subsidy under this section.

24          (b) Notwithstanding sub. (5), increase the copayment amount that an  
25 individual must pay toward the cost of child care received under this section.

(c) Notwithstanding sub. (6), adjust the amount of reimbursement paid to child care providers providing child care services under this section.

(d) Notwithstanding sub. (1m), adjust the gross income levels for eligibility for receipt of a child care subsidy under this section.

**\*-1195/2.19\* SECTION 1385.** 49.159 (2) of the statutes is amended to read:

**49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.**

A custodial parent who is under the age of 18 is eligible, regardless of that individual's or that individual's parent's income or assets, to meet with a financial and employment planner. The financial and employment planner may provide the individual with information regarding Wisconsin ~~works~~ Works eligibility, available child care services, employment and financial planning, family planning services, as defined in s. 253.07 (1) (b), community resources, eligibility for ~~food stamps~~ the supplemental nutrition assistance program, and other food and nutrition programs.

**\*-1146/1.26\* SECTION 1386.** 49.162 of the statutes, as affected by 2009 Wisconsin Act 333, is repealed.

**\*-1465/P4.337\* \*-0808/2.202\* SECTION 1387.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

**49.165 (2) (c) (intro.)** No grant may be made to an organization which provides or will provide shelter facilities unless the department of ~~commerce~~ safety and professional services determines that the physical plant of the facility will not be dangerous to the health or safety of the residents when the facility is in operation. No grant may be given to an organization which provides or will provide shelter facilities or private home shelter care unless the organization ensures that the following services will be provided either by that organization or by another organization, person or agency:

1           **\*-1195/2.20\* SECTION 1388.** 49.173 (3) (a) 2. of the statutes is amended to read:  
2           49.173 (3) (a) 2. ~~Food stamp~~ Supplemental nutrition assistance employment  
3           and training.

4           **\*-0149/2.8\* SECTION 1389.** 49.175 (1) (intro.) of the statutes, as affected by  
5           2009 Wisconsin Act 28, section 1227, is amended to read:

6           49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within  
7           the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (ed), (k), (kx), (L),  
8           (mc), (md), (me), ~~(mf)~~, and (s), the department shall allocate the following amounts  
9           for the following purposes:

          \*\*\*NOTE: This is reconciled s. 49.175 (1) (intro.). This section has been affected by  
          drafts with the following LRB numbers: LRB-0149/1 and LRB-1019/4.

10          **\*-0149/2.9\* SECTION 1390.** 49.175 (1) (a) of the statutes is amended to read:  
11          49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,  
12          ~~\$49,139,400~~ \$78,787,800 in fiscal year ~~2009-10~~ 2011-12 and ~~\$51,229,600~~  
13          \$61,779,400 in fiscal year ~~2010-11~~ 2012-13.

14          **\*-0149/2.10\* SECTION 1391.** 49.175 (1) (b) of the statutes is amended to read:  
15          49.175 (1) (b) *Wisconsin Works administration.* For administration of  
16          Wisconsin Works performed under contracts under s. 49.143, ~~\$8,247,000~~  
17          \$11,830,800 in fiscal year ~~2009-10~~ 2011-12 and ~~\$8,247,000~~ \$11,117,100 in fiscal year  
18          ~~2010-11~~ 2012-13.

19          **\*-0149/2.11\* SECTION 1392.** 49.175 (1) (f) of the statutes is amended to read:  
20          49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under  
21          Wisconsin Works provided under contracts under s. 49.143, ~~\$38,471,500~~ \$54,846,300  
22          in fiscal year ~~2009-10~~ 2011-12 and ~~\$35,471,500~~ \$45,637,000 in fiscal year ~~2010-11~~  
23          2012-13.

## SECTION 1393

1       **\*-0149/2.12\* SECTION 1393.** 49.175 (1) (g) of the statutes is amended to read:

2       49.175 (1) (g) *State administration of public assistance programs and costs of*  
3 *overpayment collections.* For state administration of public assistance programs and  
4 ~~costs associated with~~ the collection of public assistance overpayments, ~~\$16,985,900~~  
5 ~~in fiscal year 2009-10 and \$17,091,700~~ \$12,322,400 in each fiscal year 2010-11.

6       **\*-0149/2.13\* SECTION 1394.** 49.175 (1) (i) of the statutes is amended to read:

7       49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138,  
8 ~~\$6,500,000~~ and for transfer to the department of administration for low-income  
9 energy or weatherization assistance programs, \$6,200,000 in fiscal year 2009-10  
10 2011-12 and \$6,000,000 in fiscal year ~~2010-11~~ 2012-13.

11       **\*-0149/2.14\* SECTION 1395.** 49.175 (1) (p) of the statutes is amended to read:

12       49.175 (1) (p) *Direct child care services.* For direct child care services under s.  
13 49.155, ~~\$384,987,600~~ \$290,042,500 in fiscal year ~~2009-10~~ 2011-12 and ~~\$402,496,800~~  
14 \$288,018,300 in fiscal year ~~2010-11~~ 2012-13.

15       **\*-0149/2.15\* SECTION 1396.** 49.175 (1) (q) of the statutes is amended to read:

16       49.175 (1) (q) *Child care state administration and child care licensing*  
17 *activities.* For administration of child care programs under s. 49.155 and the  
18 allocation under s. 49.155 (1g) (c) for child care licensing activities, ~~\$8,534,700~~  
19 \$21,061,700 in fiscal year ~~2009-10~~ 2011-12 and ~~\$8,889,700~~ \$21,143,400 in fiscal  
20 year ~~2010-11~~ 2012-13.

21       **\*-0149/2.16\* SECTION 1397.** 49.175 (1) (qm) of the statutes is amended to read:

22       49.175 (1) (qm) *Quality care for quality kids.* For the child care quality  
23 improvement activities specified in s. 49.155 (1g), ~~\$5,384,600~~ \$13,486,700 in fiscal  
24 year ~~2009-10~~ 2011-12 and ~~\$5,384,600~~ \$13,169,400 in fiscal year ~~2010-11~~ 2012-13.

25       **\*-0149/2.17\* SECTION 1398.** 49.175 (1) (r) of the statutes is amended to read:



1           49.175 (1) (r) *Children of recipients of supplemental security income.* For  
2 payments made under s. ~~49.775~~ 49.395 for the support of the dependent children of  
3 recipients of supplemental security income, ~~\$29,899,800 in fiscal year 2009-10 and~~  
4 ~~\$29,933,200~~ \$31,232,200 in each fiscal year thereafter.

      \*\*\*NOTE: This is reconciled s. 49.175 (1) (r). This section has been affected by drafts  
with the following LRB numbers: LRB-0149/1 and LRB-1019/4.

5           **\*-0149/2.18\* SECTION 1399.** 49.175 (1) (s) of the statutes is amended to read:  
6           49.175 (1) (s) *Kinship care, long-term kinship care, and foster care assistance.*  
7 For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n),  
8 and (3p) and for foster care for relatives under s. 48.62, ~~\$24,435,000 in fiscal year~~  
9 ~~2009-10 and \$24,435,000~~ \$21,375,800 in each fiscal year ~~2010-11~~.

10          **\*-0149/2.19\* SECTION 1400.** 49.175 (1) (v) of the statutes is created to read:  
11          49.175 (1) (v) *Program improvement plan.* For services provided under the  
12 child welfare program improvement plan developed under 45 CFR 1355.35, \$680,400  
13 in fiscal year 2011-12 and \$1,360,800 in each fiscal year thereafter.

14          **\*-0149/2.20\* SECTION 1401.** 49.175 (1) (zh) of the statutes is amended to read:  
15          49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of  
16 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation  
17 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$6,664,200 in fiscal~~  
18 ~~year 2009-10 and \$6,664,200~~ \$43,664,200 in each fiscal year ~~2010-2011~~.

19          **\*-1019/5.37\* SECTION 1402.** 49.19 (5) (d) of the statutes is amended to read:  
20          49.19 (5) (d) The department shall ~~reimburse the county for~~ pay the funeral,  
21 burial, and cemetery expenses of a dependent child or the child's parents as provided  
22 in s. 49.785.

23          **\*-1019/5.38\* SECTION 1403.** 49.19 (19m) of the statutes is amended to read:

1           49.19 (19m) Notwithstanding subs. (1) to (19), no aid may be paid under this  
2 section for a child on whose behalf a payment is made under s. ~~49.775~~ 49.395.

3           \*-1019/5.39\* SECTION 1404. 49.197 (1m) of the statutes is amended to read:

4           49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2)  
5 (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program  
6 to investigate suspected fraudulent activity on the part of recipients of aid to families  
7 with dependent children under s. 49.19, supplemental security income payments  
8 under s. 49.77, 2009 stats., or s. 49.39, and payments for the support of children of  
9 supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395,  
10 on the part of participants in the Wisconsin Works program under ss. 49.141 to  
11 49.161, and, if the department of health services contracts with the department  
12 under sub. (5), on the part of recipients of medical assistance under subch. IV, food  
13 stamp benefits under the food stamp program under 7 USC 2011 to 2036,  
14 ~~supplemental security income payments under s. 49.77, payments for the support of~~  
15 ~~children of supplemental security income recipients under s. 49.775, and health care~~  
16 benefits under the Badger Care health care program under s. 49.665. The  
17 department's activities under this subsection may include, but are not limited to,  
18 comparisons of information provided to the department by an applicant and  
19 information provided by the applicant to other federal, state, and local agencies,  
20 development of an advisory welfare investigation prosecution standard, and  
21 provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to  
22 Wisconsin Works agencies to encourage activities to detect fraud. The department  
23 shall cooperate with district attorneys regarding fraud prosecutions.

24           \*-1195/2.21\* SECTION 1405. 49.197 (1m) of the statutes, as affected by 2011  
25 Wisconsin Act .... (this act), is amended to read:

1           49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2)  
2           (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program  
3           to investigate suspected fraudulent activity on the part of recipients of aid to families  
4           with dependent children under s. 49.19, on the part of recipients of benefits under  
5           the supplemental nutrition assistance program under 7 USC 2011 to 2036,  
6           supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, and  
7           payments for the support of children of supplemental security income recipients  
8           under s. 49.775, 2009 stats., or s. 49.395, on the part of participants in the Wisconsin  
9           Works program under ss. 49.141 to 49.161, and, if the department of health services  
10          contracts with the department under sub. (5), on the part of recipients of medical  
11          assistance under subch. IV, ~~food stamp benefits under the food stamp program under~~  
12          ~~7 USC 2011 to 2036,~~ and health care benefits under the Badger Care health care  
13          program under s. 49.665. The department's activities under this subsection may  
14          include, but are not limited to, comparisons of information provided to the  
15          department by an applicant and information provided by the applicant to other  
16          federal, state, and local agencies, development of an advisory welfare investigation  
17          prosecution standard, and provision of funds to county departments under ss.  
18          46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to  
19          detect fraud. The department shall cooperate with district attorneys regarding  
20          fraud prosecutions.

      \*\*\*\*NOTE: This is reconciled s. 49.197 (1m). This SECTION has been affected by  
      drafts with the following LRB numbers: 1019/4 and 1195/1.

21           **\*-1019/5.40\* SECTION 1406.** 49.197 (2) (cm) of the statutes is amended to read:  
22           49.197 (2) (cm) Any amounts recovered with respect to the child care subsidy  
23           program under s. 49.155 by a county department in a county having a population of

1 500,000 or more as a result of a program under par. (b) or due to the efforts of an  
2 employee of such a county who is supervised by the department ~~or the department~~  
3 ~~of health services under s. 49.825~~ shall be credited to the appropriation account  
4 under s. 20.437 (2) (me).

5 **\*-1019/5.41\* SECTION 1407.** 49.197 (3) of the statutes is amended to read:

6 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
7 activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161,  
8 the supplemental security income payments program under s. 49.39, the program  
9 providing payments for the support of children of supplemental security income  
10 recipients under s. 49.395, and, if the department of health services contracts with  
11 the department under sub. (5), the Medical Assistance program under subch. IV, the  
12 food stamp program under 7 USC 2011 to 2036, ~~the supplemental security income~~  
13 ~~payments program under s. 49.77, the program providing payments for the support~~  
14 ~~of children of supplemental security income recipients under s. 49.775,~~ and the  
15 Badger Care health care program under s. 49.665.

16 **\*-1195/2.22\* SECTION 1408.** 49.197 (3) of the statutes, as affected by 2011  
17 Wisconsin Act .... (this act), is amended to read:

18 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
19 activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161,  
20 the supplemental nutrition assistance program under 7 USC 2011 to 2036, the  
21 supplemental security income payments program under s. 49.39, and the program  
22 providing payments for the support of children of supplemental security income  
23 recipients under s. 49.395, and, if the department of health services contracts with  
24 the department under sub. (5), the Medical Assistance program under subch. IV, ~~the~~

1 ~~food stamp program under 7 USC 2011 to 2036~~, and the Badger Care health care  
2 program under s. 49.665.

\*\*\*\*NOTE: This is reconciled s. 49.197 (3). This SECTION has been affected by drafts  
with the following LRB numbers: 1019/4 and 1195/1.

3 **\*-1019/5.42\* SECTION 1409.** 49.197 (4) of the statutes is amended to read:

4 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health  
5 services contracts with the department under sub. (5), the department shall provide  
6 funds from the appropriation under s. 20.437 (2) (kx) to counties and governing  
7 bodies of federally recognized American Indian tribes administering Medical  
8 Assistance under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the~~  
9 ~~supplemental security income payments program under s. 49.77, the program~~  
10 ~~providing payments for the support of children of supplemental security income~~  
11 ~~recipients under s. 49.775~~, and the Badger Care health care program under s. 49.665,  
12 as applicable, to offset administrative costs of reducing payment errors in those  
13 programs.

14 **\*-1195/2.23\* SECTION 1410.** 49.197 (4) of the statutes, as affected by 2011  
15 Wisconsin Act .... (this act), is amended to read:

16 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. If the department of health  
17 services contracts with the department under sub. (5), the department shall provide  
18 funds from the appropriation under s. 20.437 (2) (kx) to counties and governing  
19 bodies of federally recognized American Indian tribes administering Medical  
20 Assistance under subch. IV, ~~the food stamp program under 7 USC 2011 to 2036~~, and  
21 the Badger Care health care program under s. 49.665, as applicable, to offset  
22 administrative costs of reducing payment errors in those programs.

\*\*\*\*NOTE: This is reconciled s. 49.197 (4). This SECTION has been affected by drafts  
with the following LRB numbers: 1019/4 and 1195/1.

## SECTION 1411

1           **\*-1019/5.43\* SECTION 1411.** 49.197 (5) of the statutes is amended to read:

2           49.197 (5) ~~CONTRACTS FOR MEDICAL ASSISTANCE, AND FOOD STAMPS, SUPPLEMENTAL~~  
3 ~~SECURITY INCOME, AND CARETAKER SUPPLEMENT.~~ Notwithstanding s. 49.845 (1) and (2),  
4 the department of health services may contract with the department to investigate  
5 suspected fraudulent activity on the part of recipients of medical assistance under  
6 subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to  
7 2036, ~~supplemental security income payments under s. 49.77, payments for the~~  
8 ~~support of children of supplemental security income recipients under s. 49.775, and~~  
9 health care benefits under the Badger Care health care program under s. 49.665 and  
10 to conduct activities to reduce payment errors in the Medical Assistance program  
11 under subch. IV, the food stamp program under 7 USC 2011 to 2036, the  
12 ~~supplemental security income payments program under s. 49.77, the program~~  
13 ~~providing payments for the support of children of supplemental security income~~  
14 ~~recipients under s. 49.775, and the Badger Care health care program under s. 49.665,~~  
15 as provided in this section.

16           **\*-1195/2.24\* SECTION 1412.** 49.197 (5) of the statutes, as affected by 2011  
17 Wisconsin Act .... (this act), is amended to read:

18           49.197 (5) ~~CONTRACTS FOR MEDICAL ASSISTANCE AND FOOD STAMPS.~~  
19 Notwithstanding s. 49.845 (1) and (2), the department of health services may  
20 contract with the department to investigate suspected fraudulent activity on the  
21 part of recipients of medical assistance under subch. IV, ~~food stamp benefits under~~  
22 ~~the food stamp program under 7 USC 2011 to 2036, and health care benefits under~~  
23 the Badger Care health care program under s. 49.665 and to conduct activities to  
24 reduce payment errors in the Medical Assistance program under subch. IV, ~~the food~~

1 stamp program under 7 USC 2011 to 2036, and the Badger Care health care program  
2 under s. 49.665, as provided in this section.

\*\*\*NOTE: This is reconciled s. 49.197 (5). This SECTION has been affected by drafts  
with the following LRB numbers: 1019/4 and 1195/1.

3 **\*-1195/2.25\* SECTION 1413.** 49.22 (6) of the statutes is amended to read:

4 49.22 (6) The department shall establish, pursuant to federal and state laws,  
5 rules and regulations, a uniform system of fees for services provided under this  
6 section to individuals not receiving aid under s. 48.645, 49.19, 49.47, or 49.471;  
7 benefits under s. 49.148, 49.155, or ~~49.79~~ 49.37; foster care maintenance payments  
8 under 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or  
9 long-term kinship care payments under s. 48.57 (3n). The system of fees may take  
10 into account an individual's ability to pay. Any fee paid and collected under this  
11 subsection may be retained by the county providing the service except for the fee  
12 specified in 42 USC 653 (e) (2) for federal parent locator services.

13 **\*-1213/1.15\* SECTION 1414.** 49.26 (1) (g) 12. of the statutes is repealed.

14 **\*-1213/1.16\* SECTION 1415.** 49.26 (1) (gm) 1. c. of the statutes is amended to  
15 read:

16 49.26 (1) (gm) 1. c. Dropouts, as defined in s. ~~118.153 (1) (b)~~ 115.001 (2m),  
17 including individuals who were dropouts and reenrolled in school in the same or  
18 immediately succeeding semester in which they dropped out of school.

19 **\*-0059/4.5\* SECTION 1416.** 49.265 (4) (a) of the statutes is amended to read:

20 49.265 (4) (a) The department shall distribute the federal community services  
21 block grant funds received under 42 USC 9903 and ~~deposited in~~ credited to the  
22 ~~appropriations~~ appropriation account under s. ~~20.437 (1) (mc) and (md)~~ (2) (mg).

23 **\*-1195/2.26\* SECTION 1417.** 49.32 (7) (b) of the statutes is amended to read:

1           49.32 (7) (b) The department shall conduct a program to periodically match the  
2 records of recipients of aid to families with dependent children under s. 49.19 and  
3 recipients of benefits under the supplemental nutrition assistance program under 7  
4 USC 2011 to 2036 and, if the department of health services contracts with the  
5 department under s. 49.197 (5), recipients of medical assistance under subch. IV and  
6 ~~food stamp benefits under the food stamp program under 7 USC 2011 to 2036~~ with  
7 the records of recipients under those programs in other states. If an agreement with  
8 the other states can be obtained, matches with records of states contiguous to this  
9 state shall be conducted at least annually.

10           \*-1195/2.27\* SECTION 1418. 49.32 (7) (c) of the statutes is amended to read:

11           49.32 (7) (c) The department shall conduct a program to periodically ~~match~~  
12 review the address records of recipients of aid to families with dependent children  
13 under s. 49.19 and recipients of benefits under the supplemental nutrition assistance  
14 program under 7 USC 2011 to 2036 and, if the department of health services  
15 contracts with the department under s. 49.197 (5), recipients of medical assistance  
16 under subch. IV ~~and food stamp benefits under the food stamp program under 7 USC~~  
17 ~~2011 to 2036~~ to verify residency and to identify recipients receiving duplicate or  
18 fraudulent payments.

19           \*-1195/2.28\* SECTION 1419. 49.32 (7) (d) of the statutes is amended to read:

20           49.32 (7) (d) The department, with assistance from the department of  
21 corrections, shall conduct a program to periodically match the records of persons  
22 confined in state correctional facilities with the records of recipients of aid to families  
23 with dependent children under s. 49.19 and benefits under the supplemental  
24 nutrition assistance program under 7 USC 2011 to 2036 and, if the department of  
25 health services contracts with the department under s. 49.197 (5), recipients of



1 medical assistance under subch. IV ~~and food stamp benefits under the food stamp~~  
2 ~~program under 7 USC 2011 to 2036~~ to identify recipients who may be ineligible for  
3 benefits.

4 **\*-1195/2.29\* SECTION 1420.** 49.32 (10) (a) (intro.) of the statutes is amended  
5 to read:

6 49.32 (10) (a) (intro.) Each county department under s. 46.215, 46.22, or 46.23  
7 may release the current address of a recipient of ~~food stamps~~ supplemental nutrition  
8 assistance program benefits under s. 49.37 or of aid under s. 49.19, and each  
9 Wisconsin works agency may release the current address of a participant in  
10 Wisconsin works under ss. 49.141 to 49.161, to a law enforcement officer if the officer  
11 meets all of the following conditions:

12 **\*-1019/5.44\* SECTION 1421.** 49.35 (1) (bm) of the statutes is amended to read:

13 49.35 (1) (bm) All records of the department relating to aid provided under s.  
14 49.19 or 49.39 are open to inspection at reasonable hours by members of the  
15 legislature who require the information contained in the records in pursuit of a  
16 specific state legislative purpose. All records of any county relating to aid provided  
17 under s. 49.19 or 49.39 are open to inspection at reasonable hours by members of the  
18 board of supervisors of the county or the governing body of a city, village or town  
19 located in the county who require the information contained in the records in pursuit  
20 of a specific county or municipal legislative purpose. The right to records access  
21 provided by this paragraph does not apply if access is prohibited by federal law or  
22 regulation or if this state is required to prohibit such access as a condition precedent  
23 to participation in a federal program in which this state participates.

24 **\*-1195/2.30\* SECTION 1422.** 49.37 (1m) of the statutes is created to read:

1           49.37 (1m) ADMINISTRATION BY DEPARTMENT. The department shall administer,  
2 and may enter into contracts for the administration of, the supplemental nutrition  
3 assistance program in this state. Administration of the supplemental nutrition  
4 assistance program includes all of the following:

- 5           (a) Receiving applications.
- 6           (b) Determining eligibility.
- 7           (c) Conducting fraud investigation and fraud prevention activities.
- 8           (d) Implementing error reduction procedures.
- 9           (e) Recovering overpayments of benefits.

10        \*-1019/5.45\* SECTION 1423. 49.43 (1e) of the statutes is amended to read:

11           49.43 (1e) "Accommodated person" means any person in a hospital or in a  
12 skilled nursing facility or intermediate care facility, as defined in Title XIX of the  
13 social security act, who would have been eligible for benefits under s. 49.19 or 49.77  
14 49.39 or federal Title XVI if the person were not in such a hospital or facility, and any  
15 person in such an institution who can be found eligible for Title XIX under the social  
16 security act.

17        \*-1019/5.46\* SECTION 1424. 49.45 (2) (a) 3. of the statutes is amended to read:

18           49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,  
19 rehabilitative, and social services under ss. 49.46, 49.468, 49.47, and 49.471 and  
20 rules and policies adopted by the department and may, under a contract under s.  
21 49.78 (2), delegate all, or any portion, of this function to the county department under  
22 ~~s. 46.215, 46.22, or 46.23~~ or a tribal governing body.

23        \*-1019/5.47\* SECTION 1425. 49.45 (3) (a) of the statutes is amended to read:

24           49.45 (3) (a) Reimbursement shall be made to each county department under  
25 ss. 46.215, 46.22, and 46.23 for ~~any administrative services performed in the Medical~~